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**HelpAge International written statement to the OHCHR Multi-Stakeholder Meeting on the Rights of Older Persons, 29-30 August 2022**

**Session 1. Limitations and gaps of selected human rights and obligations**

*Monday 29 August 2022 (10h30-12)*

When we grow older, ageism and age discrimination are detrimental human rights violations we *all* face.

The lack of an explicit prohibition of age discrimination at the international level renders it less visible and unaddressed. The High Commissioner’s report on normative standards[[1]](#footnote-1) concludes that the gaps in the human rights framework are not just operational, but conceptual as well.

This protection gap leads to inadequate legal guarantees for older persons at the national level, where age is distinguished from other grounds of discrimination and specific exceptions exist which would be unlawful on any other ground. This differentiation between age and other characteristics reflects the pervasive influence of ageism, even in societies with well-developed equality law regimes. Unless and until ageist prejudices and stereotypes are identified and challenged, systemic age discrimination will persist.[[2]](#footnote-2)

As the High Commissioner’s report clearly states: to fill this gap, we need a two-track approach. Better implementation of existing norms alone will simply not be enough. To bring about a systemic shift towards a rights-based approach to ageing, States must adopt a dedicated instrument that articulates how rights apply in older age and to older persons.

The right to equality and to non-discrimination on the basis of age should be at the very heart of this instrument, which should also establish proactive obligations on States to tackle ageism in all its forms and to identify and remove barriers to equal participation for older people in all areas of life.

A Convention would clarify the obligation for States to advance equality for older persons and explicitly permit and require the adoption of positive action measures. It would clarify the obligation for States to ensure awareness-raising, education, training and other measures to combat prejudice, stigma, and ageism stereotypes about older persons that may affect their rights. Finally, a new binding instrument would clarify States’ obligation to enact statutory equality duties that require public authorities and other duty-bearers to assess the impact of their policies on the rights of older persons.[[3]](#footnote-3)

It is high time for States to step up their efforts to effectively address ageism and age discrimination, and to develop and adopt a coherent, comprehensive and integrated human rights instrument on the rights of older persons.

**Contact**

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1. United Nations High Commissioner for Human Rights (2022), Normative standards and obligations under international law in relation to the promotion and protection of the human rights of older persons**,** *UN Doc.* A/HRC/49/70. [↑](#footnote-ref-1)
2. HelpAge International (2022), Advancing equality for older people, London, HelpAge International. [↑](#footnote-ref-2)
3. Ibid. [↑](#footnote-ref-3)